Previous references

File No. 59—02

1902-3

Serial Nos. 1—6

(Sep: Revd)

Later references.

S.R 310 of 09 Sl 1 and 2
January 1917

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1— 6

Part B. for January 1903

SUBJECT.

Allowing the Inamdar's claim to the Toddy Excise revenue of Sannamanya Gudaganahalli village, Yedatore Taluk.

---

1) From the Excise Comm^r No. 45901 258 & 11 2/03
Submits the records of enquiry re the Inamdar's claim to the Toddy revenue of the village.

2) To the Excise Comm^r No. 30 & 18/03.
Notices certain defects in the records & returns Item for resubmission after the defects are ~~not~~ rectified.

3) From the Excise Comm^r — No. 8837 & 15.4.08
Resubmits the records of the case & states that the claim may be recognised.

4) To the Excise Comm^r. No. 6682 & 24.6.08
Calls for the originals of the muchalikas referred to in the above & states the grounds

the requisite by grant of the claim.

5) From the Excise Comm^r No. 457) 9 11.11.08
Submits the papers & information called for

6) To the Excise Comm^r & Comptr & Exam Supdt
No. H. 3245-7 9 30.1.09
Allows the claim.

GENERAL AND REVENUE SECRETARIAT

(Sep Rev.)

NOTES

SR File. No. 59-02

FILE HEADING.

Inamdar's claim to the toddy revenue of Kudagancahalli village, Yedatore Talq.

From

The Excise Commissioner in Mysore

No. 4590/258 Dated 11/2/03 Received 14/2/03.

Diary No. 265	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits the record of enquiry relating to the toddy revenue of the village in question.

~~NOTES AND ORDERS.~~

2. To the Excise Commissioner in Mysore.

No. 30 & 18.7.03.

States that the records contain conflicting statements as to the existence of a toddy shop that the asst Comr has taken no pains to

NOTES—First sheet.

GPB—30,000—20-3-06.

Serial No.

ascertain which of those statements is correct and requests resubmission of the records with the defects rectified.

3. From the Excise Commissioner

No. 8837 & 15/4/08

Resubmits the records of the case and states that he concurs in the opinion of the investigating officer that the Iruvalan is entitled to the amount of toddy revenue claimed for by him.

The village has only a shop and no toddy shop. The Revenue Concede "except with ol". The terms of the Iruvalan agreement in 1879. H.S. Nos 8331-32 have been examined but no reference from toddy is shown. The H.S. No. 8 field patti for 1834 has also been examined wherein no reference is shown from toddy. But 12 palmyras are shown on account of "Palmyrah". What minor items were included in this

GPB–50,00017–3-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 59 of 1902

Serial No.

This may be done
E 5/6 Wk
From No 218
No. Ver. Record
Tour Bks
No 67 6.1.5/08

must be ascertained only with reference to the accounts available in our records "Thenoi" is however included among the items of revenue enjoyed by the Nawabs. but the details of revenue were those that were furnished by the Nawabs themselves & not with reference to any Govt. record or accounts. Nothing is said about the Excise revenue or Abkari revenue in the Trial orders of the Nawab subject & 18th Oct 1902 It cannot therefore be said that the Nawab Settlement has recognised the right unless it is supported by other documents. A reference to the Nawab register of receipts relating to the Abkari Case Hon. Note sheet No 265 seems necessary to see if it contains anything about the revenue in question.

As regards enjoyment

GPB—50,00017—3·07

G. R. S. 12]
General and Revenue Secretariat.

GR File No. 54 of 1907

Serial No.

The Respondents have produced 2 Mukhalikas executed by Messrs Muddaboo & Co and R.L. Muddaboo & Co and are based of some account. These relate to the assignment of [illegible] over from 1902. There is no evidence to the previous assignment.

3 The Respondent has admitted that there has been no toddy shop in the village but the Mukhalikas refer to give rise to reference that a shop formerly existed. The Mukhalikas of the respondent firms (old toddy Contractors) were all written in a stereotyped form only the name of the village & the amount payable were changed without reference to the existence of a shop or otherwise. Nor has there been a complaint that the shop of the village was closed by the Contractors

Why not have produced the Mukhalikas executed in favour of the Respondents in connection with the assignment of this shop?

NOTE—Contn. sheet.

GPB—50,000—17-5-07

G. F. S. 12]
General and Revenue
Secretariat.

S&H File No. 59 of 1902

Serial No.

the draughtsman Conductor have therefore enjoyed the Excise revenue

4 The Excise Commr states that rules 2, 3, 5 & 13 apply to the case. When there is no shop in the village it is not clear how rule 3 applies.

5 His claim was first enquired into by the Asstt Commr. Mr C. Venkatrao. This was returned for some addl information stating that the enquiry was not complete. The Dist Excise Officer has completed the enquiry & submitted the Collectors ~~record~~ on the representation of the Asstt Commr. Before that the Rev. Asstt Commr. Conductor ~~was~~ were time to ~~enquire into~~ investigate these claims he was permitted in G.O. No 2330-4-S&H. 46-05 of 8/11/05 to entrust the work to his Excise Asstt but the records

NOTE—Contn. sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue
Secretariat.

File No. 59 of 1902

Serial No.

were asked to be submitted
thro. the Rev. Comr. This
Case has not passed the
hands of the Rev. Comr
& very recently there has
been a communication from
the Excise Comr recommending
the ~~withdrawal~~ modification
of the said order & hoping
so that the claims may be
settled to Govt without reference
to the Rev. Comr. His Comm.
~~was addressed to~~ is under submn
to Secretary (Excise Dept)
submitted for orders
Excise
4/5/02

In. No. 209

GPB—50,000—17-3-07

3968

G. R. S. 12]
General and Revenue
Secretariat.

SR File No. 59 of 1902

Serial No.

Heavy 8

is established by his fact that in his Umbyan Kaifiyat dated 1834 of Sarvamanya Villages there is an entry to show that 9 Varahans and odd an account of 'Shendrahayam' was included in the heriz of the village for Devilambi year

This received is not entered in any Register 2.1.5

9 The Register of Sarvamanyam villages showing the several items of revenue enjoyed by the respective Inamdars put up by the Venkata Reddy also support the claim of the Inamdar in the present case.

2.6.5/IV

Seen please submit a draft order allowing the claim & submit by 27/6/08

CBB 26/6/08

Submitted with draft. 2.6.5/IV

K.S. 30.5.08 2.6.08

to 1872

12 SBB 5/6

WR 4/6

7095 7096 5.6.08

13 The copy of the Jamma and the copies of Muchalikas executed by Dany Muddappa Nayak & the Mud. Dappa & Co. filed in the record are not certified to be correct and attested by any public functionary as true copies after comparison with

NOTE—Contn. sheet.

GPB—50,000—17-3-07

3968 9

G. R. S. 12]
General and Revenue
Secretariat.

SR File No. 59 of 1902

Serial No.	
1	Inft the Mpuals. Either the Mpuals or Certified ~~Copies~~ Copies attested as above should be obtained. - How
2	is it made out that the Muchalikas of NC Moyl & Dmoyl cover both excise as well as Rent?
3	What is the Ltr to 18 June 03 Inam Settlement order in the matter?

Ltr to Collr

Ltr to Collr
Early 1903

4 Draft ruled Collr for the information & the papers. The Inam Settlement order can be ascertained only from the Asst Collr (Honkote village). So far as the papers in the file show there can be only an inference that the Inam Settlement has conceded the right

true
20/Nov. Issue
1903
24

4 To The Excise Commr.
No. 6682 of 24-6-03

Inpums must original or certified copies

NOTE—Contn. sheet.

GPB—50,000—17-3-07

Serial No.

of Nunchalikas to be referred to in Sl 3 may be obtained and submitted and enquires how the inamdar is entitled to toddy excise as well as rent. When he admits the non-existence of a shop in his village.

The reference to Varadarajulu Naidu's petition by the Record clerk is not traceable. 18/7/08

From the Excise Asst
No: 4577 of the 11-11-08.

Reports that the copies of Nunchalikas have not been certified & attested, furnishes an authenticated copy of the Sannad, & States that from the copy of the Dharwa Judge was filed in the record it would appear that the toddy [illegible] was enjoyed by the Inamdar from the very beginning & that there was a Shop also

6 As regard the query how it is made out that the Nunchalikas cover toddy excise as well as hire rent, the Ex: Asst States that the Inamdar is entitled to the excise fees both by the Sannad & the Inam Settlement, that it is his right he leased out to messrs Dasa Nuddapatee, &c: and that it was open to them either to have a Shop or not in the village. But the Contractors perhaps found it to their advantage not

NOTE—Contn: sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue
Secretariat.

Excise File No. 59 of 1902-3

Serial No.

to work the shop in the Swami village. The cancellation of the shop, says the Excise Supt, during the period, did not vitiate the Swamidas title to the Excise Rev: He could not be expected to insist on the contractors to work the shop so long as they paid him whilst deem the full contract amount.

Draft recognizing the Swamidas title approved by the Govt on 5-6-08 is resubmitted with slight alteration to meet the present state of the question.

CS
19.11.08

17 Fwd (Councillor)

Draft approved with an addition & that addition is noted -

5 Jan 09

6.1.09

6 Jan. 09

Draft approved

19/1.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

G. R. File No. 59 of 1902-3

Serial No.	
6	To the Excise Comt in Cuddapah &c: No: R: 3345-7 dated 30.1.09. Holds that the Zamindar is entitled to the Excise Rev: from toddy

B

NOTE—Contn. sheet.

GPB—50,000—13-5-08

No 4590 Enclosure Office of the Excise Commissioner
258 in Mysore

Dated Bangalore 7th February 1903
11

From

The Excise Commissioner
in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Depts.

Sir

In submitting herewith the record of enquiry relating to the Toddy revenue of Gudagarahalli Inam village, Yedatore Taluk, I have the honor to state that I concur in the investigating officer's opinion that the Inamdar is entitled to Excise Revenue from Toddy There is no toddy shop but there is only a date grove in the village. Accordingly the revenue is payable to him, subject to rules 2, 5 and 13 in Government Proceedings No 2074-83 / R.F. 166-92, Dated 2nd August 1901.

I have the honor to be
Sir,
Your most obedient servant

for Excise Commissioner
in Mysore

E.265

8864
14 [illegible] 1903

1903

FROM The Excise Commissioner
in Mysore.

To The Secretary to the Government
of His Highness the Maharaja of Mysore
General and Revenue Departments

SR 59-95 i

Dated 7th
Despatched 11 } February 1903.
Received

General No. 4576
No. 258
Enclosure No. 1 & 2.

Submits the record of
enquiry relating to the Taddy
revenue of Gudagunahalli
Inam village, Yedatoré taluk.

Encl
14 2 03

Drafted

Imperial Court Gen[t]l Revenue Lieutenant

~~Mysore Dewan's Office.~~

Excise Branch.

Office Draft. (Docket.)

To

The Excise Commissioner
in Mysore

Date of passing the draft 17-7-05
Date of despatch 18-7-05.

S.R. 59-02-2

Regd. No. 30
File No. & date (if any) Ex 712-05

No. of Encls. 1 Rle

Hrs letter no 4590/258 of
7/11 Febry 03 submitting the
record of enquiry
relating to the Inam as
claim to the toddy
revenue of Gudagan
halli Inam village,
Yedatore Hk, Mysore Dt

In returning the enclosure
received with the
above has the honour

3

Observe that the record contains conflicting statements as to the existence of a toddy shop. The Asst Commr has taken no pains to ascertain which of those statements is correct. The Copies of Kuttakkas executed by the contractors for 84-87 & 87 to 90 are not in the opinion of Govt sufficient proof of the enjoyment of toddy revenue by the Inamdars for 12 years prior to 1892-93

There is no finding regarding the enjoyment by the Inamdars of the toddy revenue for the 12 years prior to 1892-93 & the Copies of the contractors' Kuttakkas extending to 8 years prior to 1892-93

The amounts due for last years under different systems of toddy Admn are not entered in the Calendar. The Excise Commr is therefore requested to resubmit the record for the orders of Govt with the above defects duly rectified.

17/7/93

10/7/93

W. Pyce 9.1.03

II 42°/4

D. 3968

SR

Office of the Excise Commissioner
in Mysore,

No. 8837

Dated Bangalore, 15th. April 1908.

SR 59-02-3.

From

H. H. Sparkes Esquire.,
Excise Commissioner in Mysore.

To

C. S. Balasundaram Iyer Esquire B. A.,
Offg. Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Departments

Sir,

I have the honor to submit herewith the records of enquiry relating to the Inamdar's claim to the Excise Revenue from toddy of Sarvamanya Gudaganahalli village in the Yedatore Taluk --- together with a copy of the Mysore Deputy Commissioner's Memo No. 527 dated 9th March 1908 and to state that I concur in the opinions recorded both by the investigating Officer and the Deputy Commissioner that the Inamdar is entitled to the Excise Revenue from toddy of the village.

2. The sannad which was granted on the 14th July 1827 by His Highness the late Maharaja Sri Krishnaraja Wodeyar Bahadur concedes " Eachal pairu" to the Inamdar. At the Inam settlement of 1880 the right of the Inamdar to "Sendi" has been recognised. From the entries made in column 14 of the Inam register of enquiry it will be observed that in the Huzur Sarvamanya Kyphiyat patti of 1839, an amount of 12 pagodas on account of "Bajebab" is included in the total beriz of the village which has been finally confirmed free. In the Inam title-deed issued to the Inamdar the toddy revenue is conceded.

3. In proof of the enjoyment of the toddy Excise Revenue of the village the Inamdar has produced a Mutchalika dated 28th September 1885 executed by Messrs Davy, Muddappa and Co., and another Mutchalika dated 9th June 1888 executed by Messrs R. C. Muddappa and Co.

Office of the District Excise Officer
Mysore District.
Dated 7th March 1908

No. 1962.
Two files with finish.
From.

A. Seshiaramiah, Esquire,
District Excise Officer,
Mysore District.

To.

H. H. Starkey, Esquire,
Excise Commissioner
in Mysore.

Sir,

Your memo. No. 547/11, dated 18th July 1903 forwarding for additional information the records of investigation received from the Secretary to Government with his No. 30 Ex. 7. 12-01, dated 17th July 1903 about the claim of the Amildar to the toddy revenue of Gudiganahally Inam village in the Yedatore Taluk

With reference to the above, I have the honor to resubmit the records with a fresh Calendar and to state that there is no toddy shop in the Inam village of Gudiganahally. There is only a grove. The Amildar's claim to the Excise revenue has been moved

proved by the original Sanad of 14th July 1877 granted by His Highness Sri Krishnaraj Wadayar Bahadur and this was conceded to the Inamdar at the Inam Settlement of 1880. Even as per Inam enquiry register of October 1880 Shendi idem is granted to the Inamdar. But his "uninterrupted" enjoyment of this revenue for 12 years preceding 1892-93, has not been fully proved. The two copies of the mutchalikas as also the village account book written by the deceased father of the present Inamdar N. Narasinha Rao, extend over only 8 years during the above period. Hence the present award is under rules 2, 5 and 13 of the Government Proceedings No. 2074-83 of 8th August 1901 as detailed in the enclosed Calendar.

Thanking Sir
(Sd). H. Seethārāmiah.
Distt: Excise Officer

No: 527
Two files with finish

Forwarded.
(Sd). M. Kantharaj Urs.
Dy: Commissioner
9/3/1908

"Copy"

Asstt
for Excise Commissioner

G.R.S. 26]

File No. 59/32

Serial No.

Diary No. of letter replied to 3968

No. 76682
& 24-6-08

General and Revenue Secretariat
(8th
, *the* 190)

To The Excise Comr
in Mysore

Date of issue 24-6-08

Signed by [illegible]

Sir,

In returning herewith the records & correspondence relating to the claim to the toddy revenue of Seravanemy Gudagana halli village Yedatore Taluk, received with your letter No. 883 & the 15th April 08 I am directed to observe that the Collector of the said District & Excise Superintendent Mysore & Deputy Commissioner

over.

SUBJECT.

ccccd R. P. Mudd affd & Co
filed in the record
are not certified to be
Correct and attested
by any public functionary
as true copies of his Commission
with the originals.
Either the originals or
Copies certified & attested
as above required
obtained & submitted.
Information is also
required as to how
it is made out that
the Mukhalikas &c.
Mudd prefd to above
Cowrie tody excise as
well as rent, when
the Mudd-dar has
himself admitted the
non-existence of rabi &
in his village.

2. A copy of the Mudd Regr
of enquiry in the Rabi Case

List of enclosures.

Copied by

Examined by

MGCPB—30,000—16-2-05

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Copy (Workota) may also be obtained & submitted

Issued

ESB 22/6

for Secy

Case 20/6/08

Copy to 22/6

MGCPB—30,000—5-4-05.

D 1649

Excise Commissioner's Office,

No. 4577 Dated Bangalore, 11th November 1908.

From

H. H. Sparkes, Esquire,
Excise Commissioner, in Mysore.

To

K. S. Chandrasekhara Aiyar, Esq., B.A. B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Depts.

Sir,

Adverting to your letter No.Fl.6682/S.R.59-02, dated 24th June 1908, regarding the claim of the Inamdar to the toddy revenue of sarvamanya Gudaganahalli village, Yedatore Taluk, I have the honor to submit herewith a copy of a docket No.280, dated 27th Ultimo together with the records of enquiry received from the Deputy Commissioner, Mysore District. It will be observed from the aforesaid docket that the copies of the Mutchalikas have been certified and attested after comparison with their originals. An authenticated copy of the Sannad is also filed, as desired.

2. From the copy of the Dhittva Undige now filed in the records it would appear that the toddy revenue was enjoyed by the Inamdar from the very beginning and that there was a shop also. The Khangi accounts now produced by the Inamdar corrobora and supplement the proofs of enjoyment already put up in the case.

3. As regards the information required as to how it is made out that the Mutchalikas referred to above cover toddy excise as well as tree-rent, when the Inamdar has himself admitted the nonexistence of a shop in his village, I beg to submit that the right to the toddy exceise has been recognise both by the Sannad and at the Inam Settlement and it was this

Excise

Excise right which the Inamdar leased out to the Government toddy contractors and the words of the agreements are unmistakeable and clear. It was left to the contractors to open or not to open a shop within the village limits and the Inamdar cannot be expected to insist upon the contractors to open a shop in his village so long as the contract amount was paid to him by the ~~cultivators~~ Contractors without a demur. The sum paid by the contractor was not only for exercising the right of drawing toddy from the Inamdar's trees but also for vending the toddy in his village. But the contractors perhaps found it to their advantage not to work a shop in the Inam village. The non-operation of the shop by the contractor does not vitiate the right of the Inamdar to the Excise revenue from toddy of his ~~Inam~~ village so long as the former paid the latter a stipulated amount for exercising the right of drawing and vending toddy in the Inam village. This case has not without its parallel and almost all claims allowed under Rule 13 are of the same nature. Besides the Dhruvamudige in this case clearly shows that ~~it~~ the whole revenue from toddy was enjoyed by the Inamdar from the very beginning.

4. A copy of the Inam Register of enquiry of the village of Hosakote forms part of the accompanying records.

I have the honor to be,

Sir,

Your most obedient servant,

Excise Commissioner.

Calendar of a claim to Cooley Revenue enquired into by the Board

Yedatore	1	Name of Taluk
Chunchunkatte	2	Name of Kabli
Gudageriahalli	3	Name of Inam Village
H. Narasinga Rao.	4	Name of Inamdar.
1 Copy of Sanad dt 14th July 1827. 2. Copy of Title deed no: 5711 dt 1st December 1880. 3 Copy of Mechalika no: 203 dt 9th June 1888 executed by Messrs Chikka – Muddappa & Co. 4. Copy of Mechalika no: 68 dated 28th September 1885 executed by Messrs Davy Muddappa & Co. 5. Copy of Inam Register sheet no: 273. 6. Extract of Cash account of the Inamdar produced by him on 4.3.08. 7. Extract of a letter dated 29th February 1908 written to H. Narasinga Rao by his brother Inamdar Venkatasubbaiya, the Shanbhogue of the Hadya Village, Yedatore Taluk	5	Documents relied upon
H. Narasinga Rao.	6	Witnesses examined
The Inamdar is entitled to annual Lump Sum grant, calculated upon the population of the Village as per rules 2, 5 and 13 of the Government proceedings no: 2074-83-R-7166-92 dated 2nd August 1902	7	Finding
As per advance Register of this office, an advance of Rs 108-14-5 have been paid to the Inamdar for past years. The demand of grove rent of this grove for 92-93 to 96-97 is Rs 152/- as per sale lists of this office. The lump Sum grant will be Rs 21-4-9 per year. A refund bill will be submitted after the claim is settled by Government.	8	Amount awarded if any for last 5 years.

Dated 7th March 1908
Mysore.
3.

The District Excise Officer Mysore.

Grounds of Decision.

9.

1. The Village contains only a grove but not a toddy shop. The Inamdar himself admits this fact. Vide his Statements dated 31st May 1902 and 4th March 1908 before the 1st Assistant Commissioner Mysore District and the District Excise Officer, Mysore respectively.
2. The Village was granted as Sarvamanyam by His Highness the late Maharaja Sri Krishnaraja Wadayar Bahadur on 14th July 1827 by means of a Sanad which concedes Echalpayn to the Inamdar.
3. The Inamdar's right to toddy revenue was further acknowledged at the Inam Settlement held in 1880 by virtue of the Title Deed of 1st December 1880.
4. Shendi item is granted to the Inamdar as per Inam Enquiry Register dated 1st October 1880.
5. The documents nos: 3 and 4 mentioned in col: 5 of this calendar clearly proves the Inamdar's enjoyment of the Excise Revenue from this Village from the 1st April 1884 to the end of 31st March 1890.
6(a) The present Inamdar is ignorant of what became of the other muchalikas executed by the other Late contractors. He therefore produced an extract of his cash accounts written by his father Venkatramiah who died in the year 1899. This extract goes to show that the Inamdar has received Rs 1-4-0 on 25.6.82, Rs 5-10-0 on 20.4.82., Rs 9-6-0 on 10.3.83, Rs 1-14-0 on 23.4.83 and Rs 22-8-0 on 4-12-91 for full one year from 1891 to the end of March 92, on account of the toddy revenue of this village.
6. The Inamdar's Statement before the District Excise Officer Mysore on 4.3.08 discloses also that there are two more Inamdars besides him who were also formerly receiving their Shares of the Excise Revenue of this Village. The extract no: 7 mentioned in col: 5 of this calendar proves that the other Inamdar by name Venkatsubbiah possesses no documents or other evidence relating to the enjoyment of abkari Revenue of this Village. The 3rd Inamdar is dead. N. Narasinga Rao says in his Statement of 4.3.08 that no reference relating to the enjoyment of the abkari Revenue of this Village is forthcoming in the records of the 3rd Inamdar.
7. Though the Inamdar has not proved his uninterrupted enjoyment of the Excise Revenue of his Village for full 12 years preceding 1892-93, he has proved his enjoyment for 8 years during the period, viz, from 1883 to 1890 and for 1890-91. Under these circumstances I award that he is entitled to the Excise revenue "from toddy" of his Village Gudaganahalli under the rules 2, 5 and 13 of the Government proceedings no: 2074-83-R-7-166-92 of 2nd August 1901.

I concur

9/1908 14.

District Excise Officer
Mysore.

11672

four copies

G.R.S.-28]

File No. 59-02
Serial No. 6.

Diary No. of letter replied to 1647 3968

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(S.R.)

, the 190

Date of issue 30 January 09

Signed by M Vinayaraca

READ—
Cor^ce ending with letter, no: 4577 dated 11.11.08 from the Sheristadar in response, submitting the records of Inquiry relating to the Inamdars claim to the toddy Excise revenue of Sa[illegible] Indaganahalli village, Yedatore Taluk (Also last letter to Chief Secretary)

ORDER THEREON.—No.

W.R. 3345-7
dy 30-1-09

B.

The village of Indaganahalli in the Yedatore Taluk was granted on Sarvamanyam tenure to [illegible] other brahmins by Her late Highness Lakshmammanni Avaru, the mother of His Highness the Maharaja

over

SUBJECT

GPB—10,000—10-4-06

Maharaja Krishnaraja Wodeyar Bahadur, under a deed of gift dated the 14th [illegible] 1827, [illegible] the [illegible] years, [illegible] mentions also "conditions". At the Enam Settlement concluded in 1850, the Devasthanam Sandi, which was mentioned as existing in the enjoyment of the Enam trust in the Enam Report of Collins, was conceded to them in the Enam title deed dated 1st Dec. 1850. Further, in the Mysore Kuppatti-patti of 1859, there is an entry to show that all previous deeds and all were included in the total being of the village as consisting of Sandi Nagara.

2) There is also sufficient proof of the Devasthanam in [illegible] of the [illegible] by the [illegible]

3) [illegible]

Was not the Maharaja pressed the Resident the ? time - was Mahotsava Lakshmiammanni aware already the time & was it usual for her Dewan Krishnaraj/Krishnaraja Wodeyar Bahadur to the Resident Maharaja

A. 17/11/09

9/11/09

Besides, the Shrinivasa Sandige in this case clearly shows that the whole revenue from toddy was enjoyed by the Devasthanam from the very beginning.

P. R. D.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

~~Imposing the~~ Excise revenue from toddy.

4) There is at present only a grove and no toddy shop in the village. The case therefore falls within the scope of Rules 2, 5 & 13 of G.O. No. 2074-83/R.F. 166-92 dated the 2nd August 1901. The Excise Board will accordingly submit a refund bill in due course for the sanction of Govt. together with a statement showing the number of trees tapped within the limits from the year in which separate account has been kept of such tapping.

N.

Print.

C.S.R. 5/6

Secretary to Govt.

Fisheries Dept.

To the Excise Board.

Returning the enclosed

" the Comptroller &c.

" the Accountant General

K.D. 2/12/08

Approved

17/12/08

K.S. 19.11.08.

5 Jan 09

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

Correspondence ending with letter No. 4577, dated the 11th November 1908, from the Excise Commissioner in Mysore, submitting the records of enquiry relating to the Inamdar's claim to the toddy excise revenue of Sarvamanya Gudaganahalli village, Yedatore Taluk.

Adverting to your letter No. Fl. 6682—S. R. 59-02, dated 24th June 1908, regarding the claim of the Inamdar to the toddy revenue of Sarvamanya Gudaganahalli village, Yedatore Taluk, I have the honor to submit herewith a copy of a docket No. 280, dated 27th ultimo, together with the records of enquiry received from the Deputy Commissioner, Mysore District. It will be observed from the aforesaid docket that the copies of the mutchalikas have been certified and attested after comparison with their originals. An authenticated copy of the Sannad is also filed as desired.

2. From the copy of the Dhuruva Undige now filed in the records, it would appear that the toddy revenue was enjoyed by the Inamdar from the very beginning and that there was a shop also. The Khangi accounts now produced by the Inamdar corroborate and supplement the proofs of enjoyment already put up in the case.

3. As regards the information required as to how it is made out that the mutchalikas referred to above cover toddy excise as well as tree rent, when the Inamdar has himself admitted the non-existence of a shop in his village, I beg to submit that the right to the toddy excise has been recognized both by the Sannad and at the Inam Settlement and it was this excise right which the Inamdar leased out to the Government toddy contractors and the words of the agreements are unmistakeable and clear. It was left to the contractors to open or not to open a shop within the village limits and the Inamdar cannot be expected to insist upon the contractors to open a shop in his village so long as the contract amount was paid to him by the contractors without a demur. The sum paid by the contractor was not only for exercising the right of drawing toddy from the Inamdar's trees but also for vending the toddy in his village. But the contractors perhaps found it to their advantage not to work a shop in the inam village. The non-operation of the shop by the contractor does not vitiate the right of the Inamdar to the excise revenue from toddy of his village so long as the former paid the latter a stipulated amount for exercising the right of drawing and vending toddy in the inam village. This case has not without its parallel and almost all claims allowed under Rule 13 are of the same nature. Besides the Dhuruva Undige in this case clearly shows that the whole revenue from toddy was enjoyed by the Inamdar from the very beginning.

4. A copy of the Inam Register of enquiry of the village of Hoskote forms part of the accompanying records.

No. Fl. 3345-7—S. R. 59-02, dated Bangalore, 30th January 1909.

1. Order thereon.—The village of Gudaganahalli in the Yedatore Taluk was granted on Sarvamanyam tenure to Ramiah and other Brahmins by Her late Highness Lakshmammanni Avaru, the mother of His Highness the late Maharaja Krishnaraja Wodeyar Bahadur, under a deed of gift dated the 14th July 1827, which among other taxes alienated in favour of the grantees mentions also "Echal Pairu." At the Inam Settlement concluded in 1880 the item of shendi which was mentioned as being in the enjoyment of the Inamdars in the Inam Register of enquiry, was conceded to them by the Inam title-deed dated the 1st December 1880. Further in the Huzur Kyphit Patti of 1839 there is an entry to show that nine varahas and odd was included in the total beriz of the village on account of "Shendi Pairu." Besides the Dhuruva Undige in this case clearly shows that the whole revenue from toddy was enjoyed by the Inamdar from the very beginning.

2. There is also sufficient proof of the Inamdar's enjoyment of the toddy excise revenue for the 12 years preceding 1891-2.

3. In the foregoing circumstances Government hold that the Inamdars are entitled to the excise revenue from toddy.

4. There is at present only a grove and no toddy shop in the village. The case therefore falls within the scope of Rules 2, 5 and 13 of Government Order

Financial (Separate Revenue), dated 30th January 1909.

No. 2074-83—R. F. 166-92, dated the 2nd August 1901. The Excise Commissioner will accordingly submit a refund bill in due course for the sanction of Government together with a statement showing the number of trees tapped within the inam village limits for and from the year in which separate account has been kept of such tree tapping.

K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore returning the enclosures.
The Comptroller, Mysore Government.
The Inam Superintendent in Mysore.

Exd.—C. S.